

# **State of New Hampshire**

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF

POLICE OFFICERS

Petitioner

v. : CASE NO. P-0765

TOWN OF EPPING : DECISION NO. 1999-043

Respondent :

PRE-HEARING CONFERENCE
MEMORANDUM AND ORDER

## BACKGROUND

On April 13, 1999, International Brotherhood of Police Officers (IBPO) filed a petition for certification of a fourteen (14) member bargaining unit to consist of three positions: patrol officer (11), corporal (1) and sergeant (2). On April 28, 1999, the Town of Epping (Town) responded with its objections. The Undersigned hearing officer conducted a pre-hearing conference at the offices of the PELRB on May 11, 1999 at which time the following matters were decided.

## STIPULATED ISSUES

- 1. Whether there is a supervisory relationship within the meaning of the statute, RSA 273-A:8 II, between the sergeant positions and the patrol officers that would preclude membership in the same bargaining unit.
- 2. Whether there is a supervisory relationship within the meaning of the statute, RSA 273-A:8 II, between the corporal position and the patrol officers that would preclude membership in the same bargaining unit.
- 3. Whether there is a sufficient community of interest among the three positions (sergeant, corporal, patrol officer) to satisfy RSA 273-A:8 I.

#### WITNESSES

The Union will present three witnesses and the Town will present one witness. The Union's three witnesses are to be Sergeant Michael Wallace, Sergeant Richard Newman and Patrol Officer Sean Gallagher.

The Town's one witness will be Police Chief Gregory Dodge.

### **EXHIBITS**

The following exhibits will be submitted no later than five days prior to the hearing. These have not been marked but exhibit numbers have been reserved for that purpose.

Joint Exhibit No. 1 - Epping Police Department's Rules and Regulations

Union Exhibit No. 1 - Copies of certification documents for bargaining units with these positions

Town Exhibit No. 1 - Job description for patrol officer

Town Exhibit No. 2 - Job description for sergeant

Town Exhibit No. 3 - Job description for corporal

Town Exhibit No. 4 - Job description for police chief

## METHOD OF CLOSING AND TIME REQUIRED

The parties have agreed to oral closings. The Union will present its case in one hour. The Town believes it will require half an hour. Considering cross-examinations, one three hour period shall be reserved for this hearing tentatively to be scheduled for June 4, 1999.

## **DECISION AND ORDER**

This matter is set forth for a hearing to be scheduled for June 4, 1999. The agreements of the parties addressed herein are adopted as they pertain to the hearing.

So ordered.

Signed this 25th day of May, 1999.

GAIL C. MORRISON

Hearing Officer